

HOLLAND & HART<sup>LLP</sup>



William F. Carr  
wcarr@hollandhart.com

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August 28, 2009

**VIA HAND DELIVERY**

Mr. Terry G. Warnell, Hearing Examiner  
Oil Conservation Division  
New Mexico Department of Energy,  
Minerals and Natural Resources  
1220 South Saint Francis Drive  
Santa Fe, New Mexico 87505

**Re: Case No. 14341: Application of Armstrong Energy Corporation for approval of a Unit Agreement, Chaves County, New Mexico. Order No. R-13150**

Dear Examiner Warnell:

Armstrong Energy Corporation has discovered errors in the legal description of the Round Tank Queen Unit in Order No. R-13150. Irregular Sections 19 and 30 are in Range 29 East, not Range 28 East, and Section 18 and 20, Township 15 South, Range 29 East should not be included in the unit area. We therefore request that a nunc pro tunc order be entered in this case and I have prepared, and enclose, an order for your consideration that will correct these errors. I will also provide the order by e-mail.

Your attention to this matter is appreciated.

Very truly yours,

William F. Carr

Enclosure

**Holland & Hart<sup>LLP</sup>**

Phone [505] 988-4421 Fax [505] 983-6043 [www.hollandhart.com](http://www.hollandhart.com)

110 North Guadalupe Suite 1 Santa Fe, NM 87501 **Mailing Address** P.O. Box 2208 Santa Fe, NM 87504-2208

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**STATE OF NEW MEXICO  
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT  
OIL CONSERVATION DIVISION**

**IN THE MATTER OF THE HEARING  
CALLED BY THE OIL CONSERVATION  
DIVISION FOR THE PURPOSE OF  
CONSIDERING:**

**CASE NO. 14341  
ORDER NO. R-13150-A**

**APPLICATION OF ARMSTRONG ENERGY CORPORATION FOR  
APPROVAL OF A UNIT AGREEMENT, CHAVES COUNTY, NEW MEXICO.**

**NUNC PRO TUNC ORDER**

**BY THE DIVISION:**

It appearing to the Oil Conservation Division that Order No. R-13150, dated July 29, 2009, does not correctly state the intended order of the Division,

**IT IS THEREFORE ORDERED THAT:**

(1) Finding (3) is hereby amended to read in its entirety as follows:

(3) The applicant, Armstrong Energy Corporation, seeks approval of its Round Tank-Queen Waterflood Unit Agreement for all oil and gas in the Queen formation underlying the following-described 1922.72 acres, more or less, of State of New Mexico and Federal lands in Chaves County, New Mexico:

**TOWNSHIP 15 SOUTH, RANGE 28 EAST, NMPM**

Section 24: E/2, E/2 W/2

Section 25: E/2

**TOWNSHIP 15 SOUTH, RANGE 29 EAST, NMPM**

Irregular Section 19: Lots 1 through 4, E/2 W/2  
(W/2 Equivalent), SE/4

Irregular Section 30: Lots 1 through 4, E/2 W/2  
(W/2 Equivalent), E/2

(2) Order paragraph (1) is hereby amended to read in its entirety as follows:

(1) The Round Tank-Queen Unit Agreement is hereby approved for all oil and gas in the Queen formation underlying the following-described 1922.72 acres, more or less, of State Of New Mexico and Federal lands in Chaves County, New Mexico:

**TOWNSHIP 15 SOUTH, RANGE 28 EAST, NMPM**

Section 24: E/2, E/2 W/2

Section 25: E/2

**TOWNSHIP 15 SOUTH, RANGE 29 EAST, NMPM**

Irregular Section 19: Lots 1 through 4, E/2 W/2  
(W/2 Equivalent), SE/4

Irregular Section 30: Lots 1 through 4, E/2 W/2  
(W/2 Equivalent), E/2

(3) The corrections set forth in this order shall be entered retroactively as of July 29, 2009.

DONE at Santa Fe, New Mexico, on this \_\_\_ day of August, 2009.

STATE OF NEW MEXICO  
OIL CONSERVATION DIVISION

MARK E. FESMIRE, P. E.  
Director

S E A L